

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE
Revised

House Bill 406 (Delegate Doorv. *et al.*)

Judiciary

Pretrial Release - Violators of Ex Parte Orders or Protective Orders

This bill prohibits a District Court Commissioner from releasing pretrial a defendant charged with violating specified ex parte or protective orders. A judge is authorized to allow the pretrial release of such a person on suitable bail and/or other conditions that would reasonably assure that the defendant will not flee or pose a danger to another person or the community. If, after arraignment, a judge determines that such a defendant still poses a risk of flight or danger, the judge must order continued detention.

Fiscal Summary

State Effect: None. The potential increase in bail review hearings arising from this bill could be handled with the existing budgeted resources of the District Court. This bill is not expected to materially affect the operations or finances of the Baltimore City Detention Center, a State operated facility.

Local Effect: Indeterminate. In 1997 there were 1,399 violations of such orders filed statewide with the District Court. This bill increases the likelihood of defendants being remanded to continued detention rather than being released pretrial. However, the magnitude of any additional local detention costs arising from this bill cannot be reliably projected.

Small Business Effect: None.

Information Source(s): Judiciary (The District Court), Department of Public Safety and Correctional Services (Baltimore City Detention Center), Department of Legislative Services

Fiscal Note History:

First Reader - February 22, 1998

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Revised - House Third Reader - March 23, 1998

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